

Carusielo, Chris

From: Wall, Steve
Sent: Thursday, April 13, 2017 8:26 PM
To: 'Kihara, Kevin'
Subject: RE: Question RE: AES Hawaii power plant use of CCR

Hello Kevin,

I have an additional heads up on AES Power coal ash concerns. Earth Justice contacted our headquarters in D.C. this week and is contemplating filing a citizen suit against AES for improper ash management. Earth Justice feels AES's ash storage pile is improperly managed such that it is an open dump/CCR landfill. I have a call scheduled with our headquarters next Tuesday to find out more about Earth Justice's concerns. After that we will plan a call with HDOH to find out more on the ash management practices at AES. [Do you have some available times next week for a call? Since our HQ is on East Coast time, we likely will need to do a call no later than 10am your time.](#)

Regarding "beneficial" use of ash at PVT, the coal ash experts at headquarters feel you cannot beneficially use coal ash at a C&D landfill and that any use would constitute disposal. I asked for regulatory citations and examples. I should know more after Tuesday.

Thanks,
Steve

Steve Wall
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From: Kihara, Kevin [mailto:Kevin.Kihara@doh.hawaii.gov]
Sent: Thursday, April 6, 2017 6:23 PM
To: Wall, Steve
Cc: Hargrove, Wade H ; Ichinotsubo, Lene K
Subject: RE: Question RE: AES Hawaii power plant use of CCR

Mr. Wall,

In response to your inquiry, the following information is provided. Ash from AES is handled in three different ways.

1. Fluidized bed combustion ash (FBCA) is beneficially used at the PVT Construction and Demolition Landfill
2. Fly ash is beneficially used in concrete by Hawaiian Cement.
3. FBCA is sent for disposal to the Wasco County Landfill in Oregon.

FBCA consists of a maximum of 70% bed ash on a dry weight basis, fly ash, and water. While the amounts sent to each potential option have been provided by AES, it was requested that the information be kept confidential. Therefore, in lieu of providing the actual numbers, I will attempt to provide you the information needed without providing the actual amounts. If this is not acceptable, let me know and I will provide the actual amounts.

The justification as to why the exact amounts for each option are not necessary are listed below:

- The amount of conditioned ash beneficially used by PVT is greater than 12,400 tons.
- The use of fly ash in concrete has been determined to be an appropriate beneficial use by EPA, so the 12,400 ton limit does not apply to Hawaiian Cement.
- Conditioned ash sent to the Wasco County Landfill is being properly disposed in a Municipal Solid Waste landfill, so the amount sent for disposal is not of concern

Since greater than 12,400 tons is being sent to the PVT landfill, a letter is being prepared to address the beneficial use criteria mentioned in your email. The letter is currently being reviewed internally, and will be sent under separate cover. Please call or email if you have any questions. Thanks!

Kevin Kihara
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From: Wall, Steve [<mailto:Wall.Steve@epa.gov>]
Sent: Friday, March 24, 2017 9:21 AM
To: Kihara, Kevin <Kevin.Kihara@doh.hawaii.gov>
Subject: RE: Question RE: AES Hawaii power plant use of CCR

Thanks for the update.

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From: Kihara, Kevin [<mailto:Kevin.Kihara@doh.hawaii.gov>]
Sent: Friday, March 24, 2017 11:51 AM
To: Wall, Steve <Wall.Steve@epa.gov>
Subject: FW: Question RE: AES Hawaii power plant use of CCR

Mr. Wall,

Your question has been received. A response to your questions is forthcoming.

Kevin Kihara
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kevin.kihara@doh.hawaii.gov

From: Simmons, Gracelda M
Sent: Thursday, March 23, 2017 11:10 AM
To: Wall, Steve <Wall.Steve@epa.gov>
Cc: Ichinotsubo, Lene K <lene.ichinotsubo@doh.hawaii.gov>
Subject: RE: Question RE: AES Hawaii power plant use of CCR

Hi Steve,

I am no longer with the solid and hazardous waste branch, but am still a part of Department of Health.

I am cc'ing Lene Ichinotsubo, Supervisor of the Solid Waste Section . Her program oversees CCR and beneficial reuse and can best answer your questions.

Regards,
Grace Simmons

From: Wall, Steve [<mailto:Wall.Steve@epa.gov>]
Sent: Thursday, March 23, 2017 11:01 AM
To: Simmons, Gracelda M <gracelda.simmons@doh.hawaii.gov>
Subject: Question RE: AES Hawaii power plant use of CCR

Hello Grace,

I am Region 9's Coal Combustion Residual (CCR) contact. After his visit last month, Jeff Scott had some questions about AES Hawaii power plant he wanted me to follow-up on. My understanding was that all the CCR from AES was going to a Municipal Solid Waste (MSW) landfill for beneficial use. His understanding from the site visit is that the CCR waste is being disposed of at more than one facility depending upon market demand or lack thereof and that at least one of the facilities is more of a C & D type facility than an MSW landfill. Jeff said you might be able to fill me in on the particulars.

Do you know what facilities/landfills AES sends its CCR to? And how much goes to each?

CCR which is used or disposed of at a permitted MSW landfill is not regulated by the CCR rule. CCR can be beneficially used as structural fill at non-MSW landfill units, however, if a non-MSW facility uses 12,4000 tons or more that facility must comply with four criterion for unencapsulated beneficial use of CCR as contained in the federal CCR Rule (40 CFR 257.53 Definitions: Beneficial use of CCR)

Beneficial use of CCR means the CCR meet all of the following conditions:

- (1) The CCR must provide a functional benefit;
- (2) The CCR must substitute for the use of a virgin material, conserving natural resources that would otherwise need to be obtained through practices, such as extraction;
- (3) The use of the CCR must meet relevant product specifications, regulatory standards or design standards when available, and when such standards are not available, the CCR is not used in excess quantities; and
- (4) When unencapsulated use of CCR involving placement on the land of 12,400 tons or more in non-roadway applications, the user must demonstrate and keep records, and provide such documentation upon request, that environmental releases to groundwater, surface water, soil and air are comparable to or lower than those from analogous products made without CCR, or that environmental releases to groundwater, surface water, soil and air will be at or below relevant regulatory and health-based benchmarks for human and ecological receptors during use.

The rule also clarifies that a use of a CCR that is not beneficial use is disposal. Basically, I'm trying to determine if there is in effect an off-site CCR disposal facility.

Thanks,
Steve

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